



08-09-04

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Z. Ewig

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,460	03/22/2004	Harriet Kirkpatrick	047144/275346

00826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000



CONFIRMATION NO. 2926

## FORMALITIES LETTER



\*OC000000012889901\*

Date Mailed: 06/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$214** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$664** for a Small Entity

• \$385 Statutory basic filing fee.	01 FC:2001	385.00 0P
• \$65 Late oath or declaration Surcharge.	02 FC:2051	65.00 0P
	03 FC:2202	171.00 0P
	04 FC:2201	43.00 0P

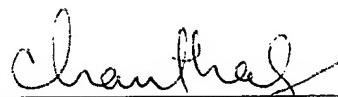
- Total additional claim fee(s) for this application is **\$214**

- **\$43** for 1 independent claims over 3.
- **\$171** for 19 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 047144/275346

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kirkpatrick  
Appl No.: 10/807,460 Confirmation No.: 2926  
Filed: March 22, 2004 Group Art Unit: 3643  
For: MODULAR, PORTABLE, BOTTOMLESS PLANTER

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

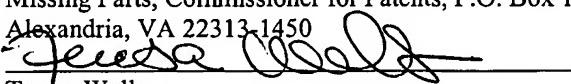
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated June 7, 2004, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$664.00 to cover the filing fee of \$599.00 (including additional claim fees) and the \$65.00 surcharge under 37 C.F.R. § 1.16(e).
- English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- Other:
- Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Scott E. Brient  
Registration No. 44,561

<p><b>Customer No. 00826</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777</p>	<p>"Express Mail" mailing label number EV 354293685 US Date of Deposit August 6, 2004</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p>  <p>Teresa Wells</p>
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